

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

RICKEY BENSON,)	
)	
Petitioner,)	
)	
v.)	No. 2:23-cv-02584-SHL-atc
)	
FLOYD BONNER, JR.,)	
)	
Respondent.)	

**ORDER DENYING PETITIONER’S MOTION TO CONSOLIDATE AND MOTION TO
PROCEED IN FORMA PAUPERIS**

On September 11, 2024, Petitioner Rickey Benson filed a Motion to Consolidate¹ his two appellate cases. (ECF No. 21.) Benson also filed his Motion to Consolidate with the United States Court of Appeals for the Sixth Circuit in case number 24-5727. The Sixth Circuit denied as moot Benson’s motion because the court already denied his application for a certificate of appealability in his other case. Because this motion addresses Benson’s cases on appeal and is not properly before this Court, it is **DENIED**.

Benson also filed a post-judgment Motion to Proceed in Forma Pauperis² on September 19, 2024. (ECF No. 22.) This Court previously denied Benson’s Petition under 28 U.S.C. § 2241 and entered judgment on December 6, 2023. (ECF No. 7, 8.) In denying Benson’s § 2241 claims, the Court also denied a certificate of appealability and denied leave to appeal in forma

¹ Benson styled his first motion as a Motion to Consolidate and/or Use the Original Record of Appellant’s Motion to Proceed in Forma Pauperis of USCA6, No. 24-5043 with Motion to Grant Fee Status in the USCA6 Due to Appellant’s Attached Inmate Balance History Report Dated: 6/18/24, Pursuant to the F.R.A.P. (ECF No. 21.)

² The full title of Benson’s second motion is Application to Proceed in the District Court Without Prepaying Fees or Costs (Short Form) on Appeal under the F.R.A.P. (ECF No. 22.)

pauperis on appeal. (ECF No. 7 at PageID 18.) Benson does not suggest any reason the Court should rule differently in this new motion. Thus, Benson's Motion to Proceed in Forma Pauperis on appeal is also **DENIED**.

IT IS SO ORDERED, this 8th day of October, 2024.

s/ Sheryl H. Lipman
SHERYL H. LIPMAN
CHIEF UNITED STATES DISTRICT JUDGE